LUTZ HEUER ET AL. USSN 09/901,979

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Amendment and Response to Restriction Requirement (5 pages total) is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Kurt G. Briscoe

Date: February 8, 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS

LUTZ HEUER ET AL.

SERIAL NO.

09/901,979

FILED

JULY 10, 2001

FOR

MICROBICIDAL COMPOSITIONS

ART UNIT

1616

EXAMINER

A. Robinson

February 8, 2002

Hon. Commissioner of Patents Washington, D.C. 20231

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

SIR:

In response to the restriction requirement dated October 10, 2001, Applicants hereby elect with traverse to prosecute the inventive combination of cyproconazole with tebuconazole.

IN THE CLAIMS:

Please add the new claims 10-14 as follows:

-- 10. (new) The antimicrobial composition according to claim 7, wherein the second ingredient is an azole selected from the group consisting of triadimefon, triadimenol, bitertanol, tebuconazole, propiconazole, azoaconazole, hexaconazole, prochloraz, bromuconazole,

